

## Meet Region V Administrator Jill Booth

In the summer of 2013, Jill Booth, then a mild-mannered district court analyst in Trial Court Services, was appointed administrator for the newly created Region V. Connections staff recently had the opportunity to catch up with Jill and ask her about her new assignment.



## Jill, you've been a regional administrator for just over a year now. What can you share with *Connections* readers about your region?

Jim Hughes and I lightheartedly refer to my region as the "golden" region, in part because it includes many of the Lake Michigan shoreline counties. Of course, that also means it receives lots of snow in the winter! For me, whether in spring, summer, fall, or winter, I think it is a beautiful geographical region and I love driving it. Region V covers a range of court sizes from the very small (Branch, Cass, and St. Joseph) to mid-size (Allegan, Barry, Berrien, Calhoun, Eaton, Kalamazoo, Muskegon, Ottawa, and Van Buren), to the metropolitan (Kent), and I like the variety of sizes.

The region also includes the complete continuum for traditional district-probate-circuit court divisions up to the fully unified Berrien Trial Court. The courts in Region V are "golden" as well!

## What do you find most and least rewarding about being a regional administrator?

By far, the most rewarding part of my work is meeting and talking with the judges, court administrators, and court staff; learning about the many programs they have established to improve service to the public; listening to their concerns; and providing support and advice. The programs range from problem-solving courts to eviction diversion to qualifying individuals for Medicaid. The least rewarding part would probably be my inability to help those litigant complainants who are seeking legal advice.

## What do you wish trial courts knew about SCAO, generally, and your office, in particular?

Chief Justice Young said it best when talking to the judges at their association conferences this past summer: "Our goal is to develop a more collaborative relationship with you and for SCAO to be recognized as a trial court consultancy, providing

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comprehensive advice and support to you and your court staff. Our team at SCAO – from JIS to Trial Court Services to the Judicial Institute – has been refocused and rededicated to serving the trial courts." The regional offices are an integral part of that mission: "You serve the public; we serve you."

## Before becoming a regional administrator, you were an analyst with the Trial Court Services division of SCAO. How did your experience in TCS help you as you transitioned to the regional office?

My time in Trial Court Services was invaluable to my current position as Region V Administrator. I had already developed personal relationships with many of the judges, court administrators, and court staff, and worked with them to address their needs. As a management analyst, I provided technical assistance, updates, and training to the trial courts, to name some of the services.

### Okay, now let's get to know a little more about you personally. Tell us a little about yourself.

The slogan on my home town's water tower says it all, "Homer is Home." My husband, Mark, and I live in an historic old home in the village where we've raised our four children: Adam, twins Erin and Lisa, and Alan; and hosted three foreign exchange students: Toni (Finland), Emma (Norway), and Edik (Ukraine). Our family now also includes Adam's wife, Leslie, and their two daughters, Iris and Azalea, and Erin's husband Dave.

### What is something that most people don't know about you?

My husband and I enjoy making white wine from kits. We like the less dry varieties and so far have made Piesporter, Gewürztraminer, Riesling, White Zinfandel, and Liebfraumilch. They may not be \$100-a-bottle quality, but turn out agreeably drinkable.

### What do you do to relieve stress?

Without fail, Skyping with my children and grandchildren is my de-stressor. Because our family is so spread out, visiting is limited to only a few times a year. Getting to Oregon, North Carolina, and California are not simple day trips.

### If you could meet one famous person, who would that person be and why?

I would love to meet Abraham Lincoln, and not just because we share birthdays. He led the nation through tumultuous times and always stayed the moral course. He also had a great sense of humor that undoubtedly helped him. There are many great Lincoln quotes; here are two:

"If I had eight hours to chop down a tree, I'd spend six hours sharpening my ax."

"When you have got an elephant by the hind leg, and he is trying to run away, it's best to let him run." ■

### You serve the public, we serve you.

Jill Booth (middle) and her staff, Regional Management Assistant Denise Kruger (left) and Office Assistant Valerie King (right), serve the courts in in Region V, which are located in the counties of Allegan, Barry, Berrien, Branch, Calhoun, Cass, Eaton, Kalamazoo, Kent, Muskegon, Ottawa, St. Joseph, and Van Buren. You can reach them at 517-373-8679.



## My 'Sobering' Experience as a Specialty Court Judge: A Review of Our New Regional Sobriety Court

By The Honorable Monte J. Burmeister, Crawford County

I will 'fess up: I used to lament specialty courts. My view was. "I am not a substance abuse counselor, I am not a social worker, I am not a psychologist, and I don't have any of that training. I am not qualified to deal with these folks the way you want me to." My reasoning went further, as I also assumed my fellow jurists who were doing this specialty court work, by and large, were also not counselors/social workers/psychologists. So, I reasoned, "how could they pos-

sibly be in a position to appropriately guide participants in these special-

ty courts?"

As you could well imagine, I was a bit shocked when I was one of the guys approached by SCAO regarding whether I would consider heading up a four-county regional sobriety court. My first thought was: "who dropped the dime on me?"

As I considered whether to write for the grant, I was told there was a judge who was involved with this stuff that would answer all my questions. I didn't call him. Months went by. I thought, "Well, that should do it." No luck, he called me. But I wasn't totally out of luck--I wasn't in to take the call. Naturally, I had to call him back though; courtesy dictated.



As a former litigator, I was ready for the chance to parry with this sobriety court guru; engage in verbal sparring, if you will. When he gave me the opening, I told him about my enlightened views on the whole subject of specialty courts. I was handily disarmed when he said he had shared many of my same feelings and concerns when he first started. How do you argue with a guy when he is subtly telling you you're right and you're brilliant? (Well, maybe that wasn't exactly what he was saying but that's how I took it.)

Anyway, after the phone conversation I thought for a while about what he had to say about his experience with drug courts and why he was enamored with them.

Ultimately, I decided to submit for the grant to establish the regional sobriety court. (I say "decided to submit, ", but you all know how these things go, my former administrator, Tom Haskel, gets all the credit for putting the grant request together and submitting it.)

I would posit that most of the drunk drivers who go through our district courts don't have a profile like a blinking Vegas neon sign screaming "hardcore addict." For most of those folks, fines and costs and/or some jail does the trick in terms of deterrence. You are not likely to see them again. Or, if you do, it is several years later.

On the other hand, we have all seen the person who perpetually cannot refrain from the use of alcohol. You send them to group counseling; it doesn't work. You randomly test them and they are positive.

You send them to one-on-one counseling; it doesn't work. You randomly test them and they are positive.

You send them to inpatient residential; it doesn't work. They come out clean; you test them a few days later and they're positive.

You send them to jail, 30 days or longer, forced dry-out; it doesn't work. They come out clean (hopefully); you test them and they are positive.

They may be circuit court material by now with the flashing neon sign fully lit up.

All of this thought process led me to this light bulb moment—what we are doing to address these hard-core addicts, in many cases, is not working. Recidivism rates will tell you that. And my empirical observation told me that. At the district court level, we have a number of people who graduate to the circuit court level with OWI 3rds. How many OWI 3rds have gone through all strata of counseling I just described sprinkled with some jail time? A number of 'em. Once they graduate to the circuit court level we have a number of people who come out of county jail or prison and reoffend. None of that is because we don't care or because we don't try our best to avoid that outcome.

Notwithstanding best efforts, I was left with the idea that if what I was doing was not working for what may represent one of the more dangerous segments of folks I deal with (in terms of their risk to society), was I open to trying something else? Coupled with that thought was my recurring thought about the guy I kept telling my staff we'd find lying in the road someday—dead, with a vodka bottle clutched in his hand. He's a guy that I've put through all the strata I identified above, sprinkled with jail (more actually like a torrential downpour of jail)—all to no avail.

So here we are, with me heading up a four-county sobriety court—soon to (possibly) be six counties. And, while it is in its infancy, here are a few observations I've made:

Observation #1 The perception that we are coddling these offenders comes from an ill-informed vantage point. Participants give up a lot of fundamental rights to participate in the sobriety court and allow for considerable intrusion into their lives. Think about this when you think about coddling:

- Participants give up their right to their defense counsel when participating in the sobriety court. The team is made
  up of a prosecutor, a defense attorney, various substance abuse counselor types, and law enforcement. These are
  the people that review progress and/or transgressions of participants and make recommendations to the judge. If
  they transgress, it can mean jail time—without the benefit of defense counsel.
- Participants see the judge every two weeks. If there is a transgression, and one that involves a sanction of jail, it is
  rendered swiftly—frankly, more swiftly than the comparable claim of a probation violation on a district or circuit
  court probationer. That is not a criticism of the district and circuit judges; I also, in my non-sobriety court judge role,
  fall into that category. It is, rather, an observation of the time constraints that come with a standard docket and with
  the allowance and enforcement of rights litigants have.
- Participants may be subject to remote breath testing multiple times a day. I'll say it again: multiple times a day you
  can require the participant to blow into the remote breath unit and verify their abstinence. Additionally, caseworkers
  perform random home visits to observe living arrangements and verify compliance with the program requirements.
- If someone starts driving, they have an interlock device and can't drive without blowing and photo verification that it's the right person blowing. Think of the alternative standard probationer. If someone thinks drunk-driving probationers are not driving surreptitiously, take a look at the number of DWLS cases pending in a given year, look at how many priors they've had, and look at what caused the initial suspension.

In short, there are more protections for society with a sobriety court participant than in a standard case.

Observation #2

Technology rules the day. Our region encompasses four counties that are not all well-connected by the highway system. We've divided the region into an eastern division and western division. My colleague, Circuit Judge George Mertz, handles the western division. We both hold court in one physical locale one week and then alternate to the other locale the next time. To connect with the locale we are not physically in, we utilize the Polycom system. It works well. Initially, I had concerns because I like personal interaction. However, the staff infrastructure we have assures good one-on-one interaction and a personal touch, even if Judge Mertz and I are not always physically present.

Observation #3

The participants want to succeed. You charge the participants to be involved, both in terms of monetary obligations and a tax on their constitutional rights. They pay to play. Make no mistake; it is decidedly easier and less burdensome to simply go to jail than to participate in these programs. So why do people

### Review of Regional Sobriety Court

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do it? Yes, some want a chance at their driver's license, but still more, I believe, really want to remain sober. This program is the equivalent of wrap-around services. And no, it is not 100 percent effective. But, as goofy as it sounds, the participants do react to positive reinforcement from a judge. And in this process you get to see that some participants are motivated to avoid jail, while some can do jail standing on their heads. I

And in this process you get to see that some participants are motivated to avoid jail, while some can do jail standing on their heads. I mean if a guy can do jail standing on his head, jail is not exactly a strong motivator for behavioral change. (Of course, for some it is.) But all of that illustrates the point. What this process really does is give the court greater reaction flexibility, coupled with personally tailored sanctions or accolades and greater contact with defendants in an effort to maintain their sobriety. You've a better chance of working the puzzle and figuring out what motivates a person in this environment.

Yes, I still have concerns about my lack of training as a mental health professional or substance abuse counselor. However, at the end of the day, I am dealing with these folks with a team of professionals (who have training I lack) who are discussing and making recommendations. That's more than I am armed with when I handle my regular criminal docket. ■

#### The Honorable Monte J. Burmeister

Judge Burmeister was elected to the Bench in 2007 and is presently the chief judge of probate and district court for Crawford County. He presides over a variety of cases, including criminal misdemeanors and civil cases under \$25,000; felony preliminary examinations; decedent's estates; child custody disputes; abuse and neglect of children cases—and the new regional sobriety court.



### **Questions? Comments? Suggestions?**

Contact the Connections team at <a href="mailto:connections@courts.mi.gov">connections@courts.mi.gov</a> or 517-373-7496

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# Probate Practice in Macomb County: Doing More With Less

By The Honorable Carl J. Marlinga, Macomb County Probate Judge

Thomas Jefferson held to the principle: "That government is best which governs least." Although other parts of government have strayed from that wisdom from time to time, courts in Michigan—and especially probate courts—have generally adopted Jefferson's sage advice. Our legislature, in adopting the Estates and Protected Individuals Code, told probate court judges that, generally, their task is to appoint the best fiduciary possible (whether personal representative, guardian, conservator, or successor trustee), and then let the fiduciary do his or her work with the least court interference possible—consistent with the rights of the individuals needing protection.

In spite of this guiding principle, we know that when probate court intervention is required, the need is acute and the issues are intense. Parties are compelled by circumstance to come to court at the most emotionally wrenching periods of their lives. Fortunes, personal freedom, and lives are at stake. Probate courts must be ever-ready to provide the best and most timely service to people who cannot and should not be satisfied with a business-as-usual pace.

"Probate courts must be ever-ready to provide the best and most timely service to people who cannot and should not be satisfied with a business-asusual pace."

~Hon. Carl J. Marlinga

In order to meet the needs of our population in Macomb County (854,769 people according to 2013 estimates of the U.S. Census Bureau), there are two probate judges. In recent years, however, because our circuit court is five judges short of the optimum number of judges, one probate judge (Honorable Kathryn George) is on indefinite assignment to the family division of circuit court. Judge George's assignment means that we have to be more innovative than ever in making sure that the one remaining judge has all the resources necessary to handle the traditional probate court caseload.

In 2013, the Macomb County Probate Court had 4,848 new filings and 5,076 dispositions. Given that there are about 240 workdays in a year, the mathematics would imply the absurd result that the single remaining judge handled 21 cases per day. Of course, that does not happen in the Macomb Probate Court because, as in all probate courts, most of the cases are handled by the register and deputy registers. In Macomb we take full advantage of MCR 8.301(B)(1), which provides:

To the extent authorized by the chief judge of a probate court by a general order, the probate register, the deputy probate register, the clerks of the probate court, and other court employees designated in the order, have the authority, until further order of the court, to do all acts required of the probate judge except judicial acts in contested matter and acts forbidden by law to be performed by the probate register. [Emphasis added.]

The court rule, MCR 8.301(B)(1), further provides that deputy registers may, in noncontested matters, "conduct conferences with fiduciaries required to ensure prompt administration of estates...and take testimony as provided by law and court rule...." In Macomb County, there are four attorneys who are deputized as deputy registers to fulfill this function. Their powers are, of course, limited to only what the law allows. They cannot act to appoint or remove a guardian, for example, since the law provides that guardianship appointment must be carried out by a judge. Likewise they cannot issue orders. In addition, the conference rooms in which they meet with attorneys have this notice prominently displayed:

NOTICE: UPON THE ORAL OR WRITTEN REQUEST OF AN INTERESTED PARTY MADE BEFORE COMMENCEMENT OR DURING THE HEARING OF THE PROCEEDING, THE PROCEEDING SHALL BE TAKEN IMMEDIATELY BEFORE THE JUDGE FOR TRIAL OR HEARING OF THE ISSUES. MCLA 600.834(4).

Even with the limitations imposed by law, these deputy registers (commonly referred to in our court as the "court attorneys") provide exemplary and much appreciated services to attorneys and litigants. When agreements can be reached, a trip to the courtroom can be avoided, or, at the very least, the issues for judicial review can be greatly narrowed.

Even with the court attorneys' maximum effort, there is still an irreducible number of cases that must be decided by a judge. In order to accommodate as many cases as possible, we hear cases from 9:00 a.m. to noon, and 1:30 to 4:30 p.m. each day of the week. (In practice, we spill over to the lunch break and barely get out before 5:00 in the evening.) Mondays are a general case call. On Tuesdays, we handle the mental health commitments from 9:00 until about 10:30 a.m., with the remainder of the day set aside for continuing hearings. Wednesdays are set for a general case call, with the exception that noon to 3:00 p.m. is reserved for the mental health court. Mental health court is a nonprobate function. I am cross-assigned as a circuit court judge to preside over felony sentencings and provide intense probation services for selected offenders whose history suggests they and the public could benefit from such an approach. Supreme Court Justice David Viviano inaugurated the mental health court when he was the chief judge of the Macomb Circuit and Probate Courts. Chief Judge John Foster has continued the program. Both chief judges believed as I do that there is wisdom in designating a probate judge for this position. One clear advantage is that, as a probate judge, I have the ability to order involuntary mental health commitments or appoint a guardian as additional tools to address the underlying problems in the life of a mentally ill criminal offender.

Wednesday afternoons from 3:00 to 5:00 are used for continuing hearings. Thursdays are reserved for mental health commitments in the morning and developmentally disabled cases in the afternoon. Fridays are, again, a general case call, with an effort to keep Friday afternoons open for continuing hearings.

I am blessed to work with co-workers who quietly, but passionately, give their utmost to make the probate court the service-oriented court it needs to be.

#### The Honorable Carl J. Marlinga

Judge Marlinga has served in the Macomb County Probate Court since January 1, 2013. He was recognized by the National Association for the Mentally III (N.A.M.I.) for his advocacy on behalf of the mentally ill. Turning Point, the Macomb County advocacy group and shelter-provider for battered spouses, honored him for his work on behalf of victims of domestic violence. He was instrumental in establishing the Macomb Sexual Assault Nurse Examiners (S.A.N.E.) program to allow prompt examination and support services for victims of criminal sexual conduct. He also was a founding board member of Care House, which provides similar services to child victims of criminal sexual conduct.



# We Value Your Input! Send SCAO Your Ideas About Court Forms

By Colin Boes, Trial Court Services Forms and Manuals Analyst



I have some exciting news: you can participate in the creation and development of SCAO-approved court forms. Under MCR 8.103(9), the state court administrator is directed to "approve and publish forms as required by these rules, and such other recommended forms as the administrator deems advisable."

Our office values the feedback of those who use the forms and rely, in part, on participation to better gauge when changes need to be made.

With respect to such suggestions, when my coworkers return from their journeys across the state, one of the most common questions they are faced with is: "how can I recommend a change to a form?" Whether it is a judge, court staff member, attorney, or other member of the public, there are often suggestions for how to improve a specific form that the individual might see or use on a daily basis. However, while we often hear whispers of a coming cascade of suggestions, this largely remains an unfulfilled promise.

Is this because each of our more than 750 forms is so perfect that there is no change that could be made? No, although that is the goal. It may be, in part, due to lack of information regarding how to participate, but today we can change that. The forms are designed for use in most circumstances and it is a fine balance of practicality and breadth that is balanced in the design of each form. With statutes, court rules, and case law constantly changing, something may get overlooked, or, at the very least, there may be a better way to approach the issue in light of how the form has been found to work in practice. It may even be that the form is no longer needed, though we often find that, much like the mythological hydra's heads, when one form is deleted, the need for two new forms takes its place.

So how does the forms process work? Are the methods supernatural? While an in-depth explanation of the entire process can be found in various locations on the *One Court of Justice* website, many times only those who are already familiar with the process uncover these arcane resources. Instead, this article will focus on a simpler explanation of how to access and participate in the creation and maintenance of the forms approved by the SCAO.

In short, forms are generally developed and modified in consultation with specialized forms committees organized by subject matter. Proposals for changes, both internal and external, are gathered throughout the year. Once a year, an agenda is prepared based on suggestions that warrant further consideration. The agenda is then posted on the web for a 30-day public comment period, with notifications going out to courts and other organizations that might wish to comment. The committee then considers the proposed modifications and recommends changes to the forms at the annual meeting. Following the meeting, minutes of the meeting are posted the Court's website. If the changes or new forms are approved by the State Court Administrator, the modified forms are generally sent out in two groups, with one set going out after the winter meetings, in early June, and the second set going out after the fall meetings, in early December.

Anyone can suggest a change to a form or propose a new form. Requests or suggestions relating to forms should be sent by e-mail to <a href="mailto:CourtFormsInfo@courts.mi.gov">CourtFormsInfo@courts.mi.gov</a>. It is helpful when the request explains why the modification or new form is being sought, as well as any legal authority behind the reasoning. Some of the comments, along with internal suggestions, form the basis of the agenda each year. For example, if you work for a court and notice something on the form that your court modifies or believes is incorrect, let us know how and why you have modified the form. Suggestions for modification from those who use the forms are an important part of the forms revision process.

And who serves on the forms committees? Committee members are generally a representative of a specific group and each committee is comprised of court staff, judges, attorneys, and other potential stakeholders. For example, on some of the committees we will ask a specialized section of the state bar for nominations. For judges or court staff, we generally solicit nominations from the appropriate association. The committees have a certain number of spots allocated to trial court staff, judges, attorneys, and representatives from other government agencies. With members having different perspectives and experience relating to the subject area, the goal is to consider, as nearly as possible, all possible consequences of a modification or new form before making any changes.

So what are you waiting for? If you have a suggestion for a form change or new form, let me know at 517-373-2217 or boesc@courts.mi.gov. ■

## Michigan Legal Help—Summer 2014 Updates

By Angela Tripp, Project Manager, Michigan Legal Help Program

This is the second in a series of Connections articles about the Michigan Legal Help Program.

Summer has felt a little too short this year, but it has been beautiful! We have had a very busy spring and summer at the Michigan Legal Help Program. Here is a brief update about some of our exciting new features:

- <u>Ayuda Legal de Michigan</u> is now available. It is a Spanish-language version of Michigan Legal Help, although not all of our content is available in Spanish yet. To start, we translated legal information about family law, domestic relationship PPOs, and debt collection matters. We will be translating some interviews into Spanish this year and expanding our other Spanish-language legal information content.
- We **modified the divorce interview** in response to changes to the law from the **Revocation of Paternity Act** (RPA). Litigants with non-marital children they wish to exclude through a divorce will no longer be able to use this interview to accomplish that goal. We have been working with SCAO to see if we can create new forms and interviews to assist people with RPA actions under the new rules and procedures.
- We launched a judgment-only divorce interview for people who have already begun their divorces and need help
  preparing a judgment of divorce. This is in response to popular demand from courts and self-help centers. Thank
  you for your feedback.
- We added more toolkits and automated interviews to the website, including the new I Need an Interpreter toolkit, which explains the new rules related to interpreters for people with Limited English Proficiency. It includes the Request for Interpreter form and interview in English and Spanish, and it links to all the bilingual versions of the form on SCAO's website.

Please continue to help us **spread the word about Michigan Legal Help**. You can order PR materials to distribute in your community on the <u>PR Materials</u> page of the website. Please also include a link to Michigan Legal Help on your court's website. On the PR materials page, we also have all the tools you need to add a MLH button on your website. **PR materials are also available in Spanish for Ayuda Legal de Michigan**.

In 2014 we will be accepting **applications for local self-help centers** on a rolling basis. If you would like one in your community, please consider forming a self-help center planning committee and submitting a proposal. The request for proposals can be found on our website at http://goo.gl/yChRF2.

What have people been saying about Michigan Legal Help? Here is recent feedback we've gotten from users:

"I found your website easy to go through. I was grateful I didn't have to go through a dozen clicks. I will recommend this website to others."

"The easiest website to follow and you don't miss a thing."

"This website was a lifesaver. It explained MI law clearly. I appreciate that. Thank you."

Finally, we have been working all summer on a special evaluation project. The goal of the project is to evaluate outcomes of Michigan Legal Help visitors by studying divorce files in nine counties in the state. While this was a time-intensive project, it will allow us to gain great insight into how we can improve the MLH website, and information on how MLH has helped people with the divorce process. Now that we are finished collecting data from these court files, we're going to interview court and self-help center staff and release a report with our findings of how MLH has impacted self-represented litigants with divorce. We'd like to thank everyone who has worked with us so far to accomplish this goal. This report will be one of relatively few of its kind and will hopefully have a positive impact.

Visit Michigan Legal Help at <a href="http://michiganlegalhelp.org/">http://michiganlegalhelp.org/</a>. ■

## Muskegon County Truancy Intervention Proves Successful for Students, Community

By Kate Kesteloot-Scarbrough, Executive Director, Mediation & Restorative Services and D.J. Hilson, Muskegon County Prosecutor

Youth who are not in school are not learning and youth who are truant are rarely learning anything good. There are approximately 25,000 children attending Muskegon County public schools; keeping them safe and improving their chances for academic success was the impetuous for the Muskegon County truancy project: Operation Graduation. The Muskegon County Prosecutor, Muskegon Area Intermediate School District Superintendent, Muskegon County Department of Human Services (DHS) Director, Mediation & Restorative Service Executive Director, and juvenile court administrators came together to develop a countywide intervention that is restorative rather than punitive. Piloted in early 2013 and used in all public schools countywide for the 2013-14 academic year, Operation Graduation has shown success.

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STAY IN SCHOOL

Schools, of course, are the "front line" as they track both the child's attendance and their academic success. When a student misses three days of school in one semester, the school reviews the child's situation; if the absences were unexcused or their academics are suffering, the school sends a letter to the family noting the attendance issue,

encouraging a conversation, offering support, and reminding parents of their legal responsibility to send their children to school. If attendance improves, the child continues on the path of success; if attendance doesn't improve and the student misses two more days, the school contacts the family again to request a face-to-face meeting to address the issue. A copy of this letter is also sent to the prosecutor's office. The prosecutor's office follows up with a letter encouraging the parents to work with the school to identify and resolve the issues preventing the child from regularly attending school. Many parents and students meet with the school to resolve the issues.

The bottom line is that more kids are in the classroom, which in the long run will mean increased graduation rates and positive opportunities for Muskegon County youth.

Not all challenges are school-based, however, and community support may be needed. Muskegon County has put DHS Family Resource Centers in every public school district in the county. These centers work in concert with the school and the family to identify solutions and make a plan for success.

There is a small group of families for whom this early intervention isn't sufficient; they either choose not to engage or the plan is not sufficient to solve the problem, and the attendance issues continue. For this group, a more intensive intervention can be helpful. The youth and family meet with the prosecutor, who makes it clear that this is more than just a school issue; it is a community issue and a legal issue. The family is then referred to Mediation & Restorative Services, where, with the assistance of trained mediators, they identify the barriers to regular school attendance. Issues such as back-up rides to school and bedtimes are usually resolved within the family; when issues require community support, the family is connected with the Family Resource Center. Health concerns (e.g., anxiety, asthma, digestive

issues, and headaches) are among the most challenging, requiring coordination between school, health providers, other community supports, parents, and the child.

This new approach to truancy has proven to be very successful. In comparing the 2012 school year (we started the program in January) with the 2013-14 school year, Muskegon County's truancy numbers dropped. In 2012, the total number of chronically truant students was 2,611. Since the start of this new system dealing with truancy countywide, there has been a decrease in the total number of students who are truant. Our hope is that the number continues to drop as the group works with this collaborative way of dealing with truancy. While the schools handled many of their truancy issues, they did refer 385 of them to the prosecutor's office. As a result of those referrals and attempts to work with the students and parents, 32 parents and 42 juveniles were charged with the crime of truancy.

### **Truancy Intervention**

The philosophy of the Muskegon County Prosecutor's Office is, even after charges have been filed, to work with the courts, students, and parents to encourage school attendance and offer opportunities for the truancy charges to be dismissed when improved attendance and school participation continues. Although charges were filed against some of the juveniles and parents it only represents approximately 8 percent and 11 percent, respectively, of the cases that were reviewed by the prosecutor's office. The bottom line is that more kids are in the classroom, which in the long run will mean increased graduation rates and positive opportunities for Muskegon County youth.

This program is evidence that collaboration is the key to success. This program would not be nearly as successful without partnerships with the schools, including teachers and administrators; the courts and judges; the mediators of the Mediation & Restorative Services; and the DHS workers, including the valuable time and efforts of the Family Resource Centers. Not only can this program help increase graduation rates, which means positive opportunities for many of our students, but it also provides a proactive way to help decrease crime rates in Muskegon County.

Interested in hearing more? Contact Kate Kesteloot Scarbrough at 231-727-6001, extension 101. ■

### Kate Kesteloot Scarbrough

Kate Kesteloot Scarbrough is the Executive Director of Mediation & Restorative Services in Muskegon, Michigan; a Community Dispute Resolution Center serving Muskegon, Oceana, Mason, and Manistee Counties. Since 2000, Mediation & Restorative Services has worked closely with the Muskegon County's Juvenile Court using the concepts and practices of restorative justice.



### **DJ Hilson**

Throughout his 15 year career as a prosecutor, DJ Hilson has been honored to be a part of programs designed to bring about meaningful change in Muskegon County. DJ knows that crime prevention begins with early intervention into the lives of our children. Since taking office in January of 2013, Prosecutor Hilson has worked in close collaboration with local churches, schools, businesses, and community leaders on programs designed to keep children in school, off the streets, and engaged in positive activities benefiting the community as a whole.



# Community Outreach Court Initiative Makes a Difference in the 61st District Court

By Cori VanderVeen, Probation Officer, 61st District Court (Kent County)

Heather Pelletier, a judicial clerk at our court, observed that repeat of-fenders of minor (public nuisance) crimes were receiving credit for time served on their cases and then continuously coming back on similar charges. Any fines and costs assessed to these individuals generally went unpaid, and bench warrants were being issued. To better address these clients and get them the assistance they need to get out of this cycle, she proposed a Community Outreach Court to Judge Donald Passenger. She suggested teaming local social service organizations together to help individuals experiencing or at risk of homelessness eliminate their personal and legal issues. Additional research was done, meetings were held with community partners, and staff visited Judge Elizabeth Hines at the 15th District Court in Ann Arbor to view her Street Outreach Court.



The new Community Outreach Court began in January of this year, presided over by Judge Passenger. Agencies that are collaborating on this specialty court initiative include Heartside Ministry, Degage Ministries, Mel Trotter Ministries, Cooley Law School, and Community Legal Service of West Michigan. Court is held every other month at Mel Trotter Ministries where Judge Passenger and court staff Pelletier, Deb Wagoner (court recorder), Cori VanderVeen (probation officer, and Dan Fischer (alternative sentencing coordinator) meet with clients and their service advocates. Court sessions are held in the community, eliminating the intimidating obstacle of this population having to go to the courthouse to take care of their cases and legal matters.

A client is brought to the attention of Community Outreach Court by one of the aforementioned service agencies. With the assistance of their advocate, the client will form an action plan to address their obstacles to a stable life, such as housing, substance abuse, and mental health problems. Once the court finds the client eligible and the action plan appropriate, the judge will suspend some fines and costs, allow the client to work off some of them, and assist them in closing their court cases.

While at Mel Trotter Ministries, the court also assists those who are not in the program by answering questions, running record checks, and providing information. The session at Mel Trotter Ministries is an actual court session and the judge is able to lift bench warrants, arraign clients, sentence, and re-set court dates. This is a relief to many clients that have been living in fear of the police and the court due to pending bench warrants. There is no threat of jail at this court session.

## Collaboration

This community effort has reduced the cost of putting people in jail and decreased the demands on law enforcement officers' time; it also operates without additional funding by combining already existing resources. Since starting in January of this year, Community Outreach Court has accepted fifteen participants, with one pending and one individual graduated. The court personnel have conducted more than 100 record checks and have resolved more than a dozen other cases, including some not in the Grand Rapids area, by Judge Passenger collaborating with other courts.

This community effort has reduced the cost of putting people in jail and decreased the demands on law enforcement officers' time; it also operates without additional funding by combining already existing resources. The court staff is doing this as part of their existing jobs, and the ministries are utilizing advocates that are already working with the clients. Our Community Outreach Court is truly a collaborative effort that is making a positive impact on the community.

If you'd like additional information about this program, contact me at <a href="mailto:cori.vanderveen@grcourt.org">cori.vanderveen@grcourt.org</a>. ■

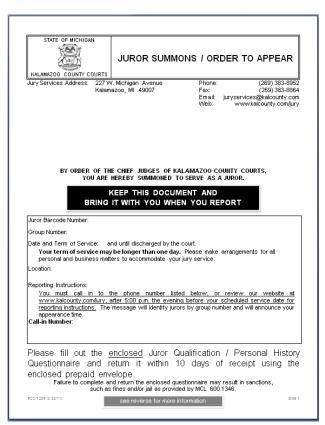
# One-Step Jury Process: Why Would You Do It Any Other Way?

By DeVona Jones, Trial Division Administrator (now retired), 9th Circuit Court (Kalamazoo)

On June 1, 2004, the legislature amended the statute to allow both the jury questionnaire and the written summons to be provided together in the same mailing. The one-step process assumes that every juror is qualified. The method we used previously required two separate mailings; in 2005, Kalamazoo became one of the first courts in the state of Michigan to take advantage of a one-step process and to this date we continue to experience the advantages.

#### This is how it works:

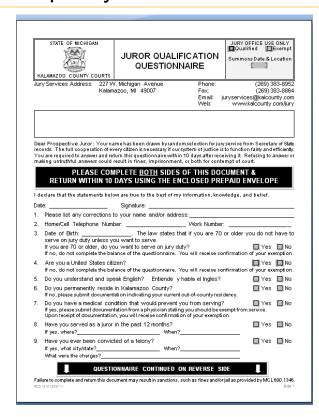
• We begin our process by having our jury list updated on a monthly basis through the National Change of Address (NCOA). Through a private vendor, we summon and mail the Juror Summons and Juror Qualification Questionnaire in one mailing. Every month we mail enough summons/questionnaires to jurors for possible service two months later. The juror is given a service date and instructions to complete and return the questionnaire within 10 days. The juror may also contact the court if they need a deferral to another date or if they feel they are exempt for one of the reasons allowed by law. The juror is also instructed to keep the summons, which provides call-in, parking, and building entrance instructions.

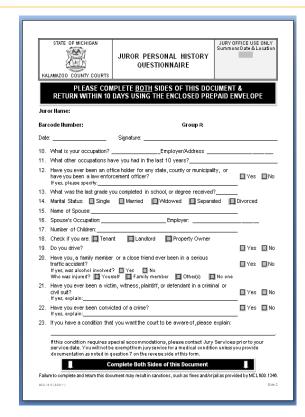


### FAILURE TO APPEAR: If you fail to appear as directed by this summons, you may be held in contempt of court, fined and/or jailled, as provided by McL.000.1396. If you fail to appear for jury duty, you have 14 days to contact the Jury Services office to reschedule your service date. Failure to contact Jury Services will result in the commencement of enforcement proceedings. EXEMPTION: (released from your obligation to serve) Documentation for exemption must be received by the Juny Services office prior to the service date. Please refer to the enclosed Junor Qualification Questionnaire: You may be eligible for exemption if you answered "no" to question 3, 4, 5, or 8; or answered "yes" to questions 7, 8 or 9; and you submit the required documentation. <u>DEFERRING\_SERVICE: (postpone your service date)</u> To have your service date deferred, contact the Jury Services office at least 7 days prior to your service date. receive mileage compensation from your home address as calculated by court standards. SECURITY NOTICE: Courthouse security entrances include a metal detector and an x-ray machine. You cannot bring knives, so Courthouse securing entrained singuise, faithful manueleus or an air river framework to be potentially dangerous into book outlest, securing entrained singuise, shiftling needed or any other oplects deemed to be potentially dangerous into the bought into fire you continue, please is elicated any office of the potentially dangerous into the bought into fire you continues, you will be instructed for truth them to you vehicle or they will be confiscated and the potential of th TECHNOLOGY: Free WiFi service is available in the Circuit Court jury assembly room at the Michigan Avenue site PARKING INFORMATION: Circuit Court Trial Division & District Court North at 227 W. Michigan Ave. Kalamazoo, MI 49007 Radisson Ramp: Parking is available at the Radisson Hotel parking ramp at a discounted rate. The b. Metered Locations: There are metered spots located around the courthouse and Bronson Park. These spots vary in length of time from 2 hours to 5 hours and cost a varying rate. Please note: If you These spots ways intering to time indust, allows to show and obstat waysing late. Presentions: I you park in a metered apot, you might not have the opportunity to refull your meter once it has expired and you could receive a parking violation. The court is not responsible for any paking violation syou might receive in conjunction with jury service. Disabled Jurors: Jurors who are disabled and have proper who identification sleptyed may pakin the metered spots located around the courthouse and Bionson Pak. DO NOT PUT MONEY IN THE METER. There is a paking ree that will be collected by Jury Services when you check in. Please provided by the Services with the Tolking information which will be provided to the paking agency. Make, model and color of your vehicle License plate number d. Vehicles taller than 6'7": Park at the Central City Lot located on Water Street. The cost will be at a discounted rate. Please remember to bring the ticket with you. Inform Jury Services if you do not Circuit Court Family Division at 1400 Gull Road; Probate Court and District Court Crosstown at 150 E. Crosstown Picw; and District Court South at 7810 Shaver Road. Free patking is available around the perimeter of these locations. KEEP THIS DOCUMENT AND BRING IT WITH YOU WHEN YOU REPORT

### **One-Step Jury Process**

(continued from page 11)





• When the completed questionnaire is received by the court, jury services staff review the questionnaire to qualify or exempt the juror, and update juror information in the court's jury management system.

#### What are the advantages?

- One of the obvious advantages of this type of system is the savings in overall mailing costs. We saved approximately \$15,000 in overall costs in the first year.
- Other advantages include the ability to use up-to-date information on prospective jurors, which has resulted in a reduced number of undeliverable mailings. In the past, we were accustomed to sending out two very large mailings of about 60,000 per year to yield 30,000 jurors. It was an extremely labor-intensive chore for staff to open and enter tens of thousands of questionnaires, not to mention then mailing out the summons months later; by then we found that many times juror information had changed, thereby affecting their qualification and our juror needs.
- With the one-step system we are better able to screen individuals with up-to-date information and, therefore, experience better utilization. Additionally, because we are randomizing and summoning monthly we are using more of the names previously not reached on our list, which results in a better representation of our community.
- Because of the reduced numbers of questionnaires to be screened, there were fewer duties for our jury board to complete. The board continues to have oversight authority over our system, but has delegated qualification responsibilities to our jury staff, which has also greatly reduced our jury board expenses.
- Implementing this process and measuring its effectiveness gave us a chance to review our other practices and ultimately we have cut our juror needs by half since the inception of one-step. We were able to substantially decrease our budget by more than \$35,000, with the hope of reutilizing the funds for juror parking.
- Most importantly, our jury services staff is now able to better focus on the daily jury needs of the courtrooms and serve the jurors reporting to the courthouse, as well as taking on additional responsibilities in other areas of the court. I have to agree with Connie Branch, our Trial Division Manager, when she says, "I don't know why all courts don't use the one-step system."

# Who Cares About Public Satisfaction? We Do!

By Cindy Rude, Calhoun County Probate Court Manager/Register

After years of continual budget cuts, staffing cuts, and even a recent judicial reduction, putting a dashboard on our website and being "transparent" didn't sound like such a good idea. While most court employees take pride in their work and want to do a good job, is what we do appreciated by the people on the other side of the counter? Is the public ever "satisfied" when they leave our offices? Do we really want to know? When the SCAO required trial courts to conduct a public satisfaction survey, we were left with no choice. We had been given an assignment, and so we did what we do: figured out how to do it efficiently and well.



Chief Probate Judge Mike Jaconette, who currently serves as the chief judge of the Calhoun County Judicial Council, had this to say: "There was some reluctance initially about participating in this survey process,

in part because we weren't sure how it would all play out in terms of where the courts are within our courthouse, where the surveyors would be situated within the building, and frankly whether or not the public would want to give us any sort of response."

As coordinator of the project for all three of our county's courts through our judicial council, the first thing I did was contact courts in other counties that had already conducted their surveys. They shared what they did, how they did it, what worked, and what they would have done differently. We looked at the various court schedules and selected two days that would afford us a thorough sampling of all of the types of cases and various clienteles of the three courts. We put together a list of 30 volunteers (or the "volunteered") with representatives from all court offices and created a schedule.

"After actually going through the process, the feedback we received from our court staff was that they enjoyed participating in this project."

~Judge Michael Jaconette

Since there is only one public entrance into the building that houses all three courts, the logistics were easy. A table set up near the exit held surveys, pens, a collection box, and treats. (We gave out flag pins and small pieces of candy.) Smiling volunteers approached customers leaving the building; many were happy to give a little time and were pleased to be asked their opinions. There were also a relative handful who refused and communicated, either verbally or non-verbally, their displeasure.

Probate and Circuit Court Administrator Jeff Albaugh, who also serves as Judicial Council Administrator, said, "I was very pleased with how smoothly the process operated, which is owing to having a very willing and able coordinator for the project as well as a very willing and able staff from all three of our courts."

Judge Jaconette also noted, "After actually going through the process, the feedback we received from our court staff was that they enjoyed participating in this project." The volunteers enjoyed the opportunity to meet and mingle with people from other offices and interact with the public on a different level. There was a sense of camaraderie and that, while we work in different court offices, we really are all on the same team.

Over the selected two days, we collected more than 500 surveys. We kept statistics, noting how many surveys were collected in each court category during each hour - helpful information for planning the scheduling and staffing of volunteers for future surveys.

We made copies of the surveys to keep for ourselves and sent the original surveys to SCAO. As we reviewed the responses, we were pleasantly surprised that in spite of our initial concerns, the responses were mostly positive. Judge James Kingsley, chief circuit judge and chief judge of the Judicial Council at the time of the survey, commented, "We received over 250 responses [for circuit court], and the vast majority had a positive experience attending court sessions

for various reasons. Over 90 percent agreed or strongly agreed that they felt safe and were treated with courtesy and respect." District and probate court surveys showed similar positive feedback.

"We were very pleased overall with the results. It not only provided us with several areas to improve upon but as employees reaffirmed in large respect how we interact with the public."

~Jeff Albaugh

While SCAO was compiling and analyzing statistical responses, our administrators made a list of the comments made. "We felt an important part of the entire process was not just conducting and receiving results, but sharing those results through the entire justice center," said Albaugh. Comments for non-court agencies, such as the sheriff department (regarding security and screening process) and county administration/IT/building maintenance (proper signage and county website), were passed on to the affected agencies "so that they could do what they will."

The administrators then came up with an action plan to address concerns raised by the survey. Judge Kingsley noted, "The lowest feedback was received regarding the county's website and the court's hours of operations. This feedback can be used as a catalyst for change and/or improvement." In response, district court moved a public terminal outside of their lobby (closed and locked during the lunch hour) into the public mezzanine, which is also equipped to take payments for traffic tickets. Friend of the court expanded times available to the public to make payments and made improvements to information on their website. Building signage has also been updated since the survey was completed.

"We have taken a look at the constructive feedback that was given and have discussed that feedback in our judicial council with regard to how we can provide better service to the public," said Judge Jaconette.

That sentiment was echoed by Albaugh, "We were very pleased over all with the results. It not only provided us with several areas to improve upon but as employees reaffirmed in large respect how we interact with the public."

A recent *Michigan Lawyers Weekly* editorial stated: "...users of the court system, from attorneys to litigants, are pleased with the way courts work." That's refreshing and affirming. It also motivates us to continue with our next round of surveys this year. Who cares about public satisfaction? It's obvious. We do!

### Update from Jeff Albaugh:

Following a Trial Court Performance Measures meeting several months ago, I told staff that we might not be doing the survey in 2014. I thought they'd be relieved, but they actually expressed disappointment because they had really enjoyed interacting with our customers. I was pleased when I could tell them we're doing the survey again this year.